



GAIL FARBER, Director

**COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331

<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

May 31, 2016

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

44 May 31, 2016

LORI GLASGOW  
EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION  
DRAINAGE EASEMENTS  
NORTH OF SANTA CLARA STREET AND WEST OF OAK AVENUE  
IN THE CITY OF SANTA CLARITA  
(SUPERVISORIAL DISTRICT 5)  
(3 VOTES)**

**SUBJECT**

This action will allow the County of Los Angeles to vacate easements for drainage purposes north of Santa Clara Street and west of Oak Avenue, in the City of Santa Clarita, which are no longer needed for public use. The vacation has been requested by the underlying property owners to remove the encumbrance from the property and provide additional building area.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easements for drainage purposes north of Santa Clara Street and west of Oak Avenue, in the City of Santa Clarita, are no longer required for public use and that they may, therefore, be vacated, under the authority of Section 5400 of the California Health and Safety Code.
3. Find that the easements for drainage purposes north of Santa Clara Street and west of Oak Avenue, in the City of Santa Clarita, have not been used for the purpose for which they were dedicated or acquired for 5 consecutive years immediately preceding the proposed vacation and that they may, therefore, be vacated, pursuant to Section 8333(a) of the California Streets and Highways Code.

4. Find that the easements for drainage purposes north of Santa Clara Street and west of Oak Avenue, in the City of Santa Clarita, have been determined to be excess and there are no public facilities located within the easements and that they may, therefore, be vacated, pursuant to Section 8333(c) of the California Streets and Highways Code.
5. Adopt the Resolution of Summary Vacation, pursuant to Section 8335 of the California Streets and Highways Code.
6. Upon approval, authorize the Director of Public Works or her designee to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles to vacate the easements for drainage purposes north of Santa Clara Street and west of Oak Avenue (Easements), in the City of Santa Clarita, since the Easements no longer serve the purpose for which they were dedicated and are not required for public use. The vacation will result in the properties being unencumbered of the excess easements, thereby allowing for improvements to the properties.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1). The vacation of the Easements will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The applicant has paid a \$1,500 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by the Board of Supervisors in a resolution adopted on May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The area to be vacated contains approximately 39,908 square feet and is shown on the map attached to the enclosed Resolution of Summary Vacation.

The County's interest in the Easements was acquired as Parcel Nos. 43-21D.1 and 43-23D.1 in Final Order of Condemnation, had in Superior Court Case No. C-40312, certified copies of which were recorded on October 17, 1973, and March 26, 1975, as Document No. 3109 and Document No. 3970, respectively, per Deeds recorded on August 15, 1973, as Document No. 4316; on June 6, 1973, as Document No. 3532; on July 12, 1974, as Document No. 4284; and on March 28, 1973, as Document No. 4444, all of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as easements for storm drain and drainage purposes.

Ms. Leslie Frazier of Hunsaker and Associates, on behalf of the underlying property owners, requested the vacation of the Easements to remove the encumbrance from the properties and provide an additional buildable area for future development.

The California Streets and Highways Code Section 8333(a) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for 5 consecutive years immediately preceding the proposed vacation.

The California Streets and Highways Code Section 8333(c) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has been superseded by relocation or determined to be excess by the easement holder and there are no other public facilities located within the easement.

The California Streets and Highways Code Section 8335 provides that upon making the required finding, the legislative body of a local agency may effectuate the summary vacation of street, highway, or public service easement by adopting a resolution of vacation.

The California Health and Safety Code Section 5400 provides that a county board of supervisors may vacate an easement for sewage or drainage purposes whenever it determines the easement is no longer required for public use.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easements and will result in the property being unencumbered by the Easements and available to the property owners for use without restriction of the Easements.

### **ENVIRONMENTAL DOCUMENTATION**

This action is categorically exempt from the provisions of CEQA, as specified in Sections 15305 and 15321 of the CEQA Guidelines, which state that the class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action will allow for additional property taxes through the vacation of the Easements.

**CONCLUSION**

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of the Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division–Asset  
Management)  
Chief Executive Office (Rochelle Goff)  
County Counsel  
Executive Office

**RESOLUTION OF SUMMARY VACATION  
DRAINAGE EASEMENTS  
NORTH OF SANTA CLARA STREET AND WEST OF OAK AVENUE**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES  
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of easements for drainage purposes (hereinafter referred to as the Easements) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easements north of Santa Clara Street and west of Oak Avenue are located in the City of Santa Clarita, in the County of Los Angeles, State of California.
2. The Easements are no longer required for public use.
3. The Easements have not been used for the purpose for which they were dedicated or acquired for five (5) consecutive years immediately preceding the proposed vacation.
4. The Easements have been determined to be excess and there are no public facilities located within the easements.
5. The Easements are hereby vacated pursuant to Section 5400 of the California Health and Safety Code and Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8330.
6. The Director of Public Works or her designee is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easements will be terminated.
7. From and after the date this resolution is recorded, the Easements will no longer constitute public service easements.

The foregoing resolution was on the 31st day of May 2016 adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

MARY C. WICKHAM  
County Counsel

LORI GLASGOW  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles



By Carole Suzuki  
Deputy

By Carla Little  
Deputy

PH:mr

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## EXHIBIT A

Project Name: Drainage Easements north of  
Santa Clara Street and west of Oak Avenue  
**SOLEDAD CANYON ROAD 43-1VAC**  
A.I.N. 2805-001-022, 024, 026, 027 & 028  
T.G. 4551-C2  
I.M. 264-117  
R.D. N/A  
S.D. 5  
M1488107

### LEGAL DESCRIPTION

**PARCEL NO. 43-1VAC** (Vacation of easements for storm drain and drainage purposes):

All of that certain 60-foot-wide strip of land, in Lot 5 of the southwest quarter of Section 18, Township 4 North, Range 15 West, S.B.M., comprised of those certain parcels of land described as Parcel 43-28D.1 in deed to the County of Los Angeles for storm drain purposes, recorded on August 15, 1973, as Document No. 4316 of Official Records, in office of the Registrar-Recorder/County Clerk of said County; Parcel 43-21D.1 in Final Order of Condemnation, had in Superior Court Case No. C-40312, in and for said County, a certified copy of which was recorded on October 17, 1973, as Document No. 3109 of said Official Records; Parcel 43-22D.1 in deed to said County for drainage purposes, recorded on June 6, 1973, as Document No. 3532 of said Official Records; Parcel 43-23D.1 in Final Order of Condemnation, had in Superior Court Case No. C-40312, in and for said County, a certified copy of which was recorded on March 26, 1975, as Document No. 3970 of said Official Records; Parcel 43-24D.1 in deed to said County for drainage purposes, recorded on July 12, 1974, as Document No. 4284 of said Official Records; and Parcel 43-25D.1 in deed to said County for drainage purposes, recorded on March 28, 1973, as Document No. 4444 of said Official Records.

Containing: 39,908 ± square feet



